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EUGENE C. RZUCIDLO ESQ
GREENBERG TRAURIG LLP
885 THIRD AVENUE
21ST FLOOR
NEW YORK NY 10022

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FEB 15 2005

OFFICE OF PETITIONS

In re Application of :
Cazin :
Application No. 09/402,702 :
Filed: October 6, 1999 :
Attorney Docket No. 43869.017400 :
For: FAX MACHINE FOR A COMPUTER
NETWORK SUCH AS THE INTERNET

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on December 2, 2004 (certificate of mailing date November 24, 2004), to revive the above-identified application.

The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed February 25, 2004, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the-above-identified application became abandoned on April 26, 2004. See MPEP 1215.04.

Petitioner has submitted a proper reply in the form of an appeal brief, an acceptable statement of the unintentional nature of the delay in timely filing an appeal brief, and the petition fee. An appeal brief fee of \$340 is due. Deposit account no. 50-1651 will be charged the fee.

The petition is **GRANTED**.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

After the mailing of this decision the application will be forwarded to Technology Center 2600.

Telephone inquiries pertaining to this decision may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, appearing to read "E. Shirene Willis". The signature is fluid and cursive, with the first name "E." and last name "Willis" clearly distinguishable.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions

cc: BRIAN M. MCGUIRE
GREENBERG TRAURIG, LLP
METLIFE BUILDING
200 PARK AVENUE, 34TH FLOOR
NEW YORK, NY 10166